

JUN 09 2004

**FACSIMILE TRANSMISSION
TO THE U.S. PATENT AND TRADEMARK OFFICE****OFFICIAL****PLEASE DELIVER TO ATTN: Examiner Bridget E. Bunner**

Concerning the following application:

ATTORNEY DOCKET NO.: 3284/1220

Application of:	Habener et al.
Serial No.:	09/731,255
Filed:	December 6, 2000
Entitled:	Method of Transplanting in a Mammal and Treating Diabetes Mellitus by Administering a Pseudo-Islet Like Aggregate Differentiated from a Nestin- Positive Pancreatic Stem Cell

Examiner: Bunner, B.E.

Group Art Unit: 1647

Conf. No.: 9070

Facsimile No.: 703-872-9306

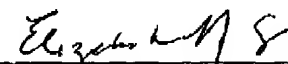
Our Facsimile No.: 1-617-227-4420

Number of pages including cover sheet: 5

Transmitted herewith: Transmittal Letter, Terminal Disclaimer

CERTIFICATION

I hereby certify that the paper identified above is being facsimile transmitted to the U.S. Patent and Trademark Office, on the date indicated below.

Date: June 9, 2004

Name: Elizabeth N. Spar
Registration No.: 45/123
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Boston, MA 02199-7613
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Atty. Docket No.: 3284/1220

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener et al.
Serial No.: 09/731,255
Filed: December 6, 2000
Entitled: Method of Transplanting in a
Mammal and Treating Diabetes
Mellitus by Administering a
Pseudo-Islet like Aggregate
Differentiated from a Nestin-
Positive Pancreatic Stem Cell

Examiner: Burner, B.E.

Group Art Unit: 1647

Conf. No.: 9070

CERTIFICATE OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. § 1.6d

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Andrea MacVarish

Name of Person Mailing Paper


Signature of Person Mailing Paper

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Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

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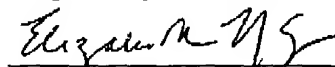
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June 9, 2004

Date

Respectfully submitted,



Elizabeth N. Spar

Registration No. 45,123

Customer No.: 29933

PALMER & DODGE LLP

111 Huntington Avenue

Boston, MA 02199

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Atty. Docket No.: 3284/1220

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Habener et al.	Examiner:	Bunner, B.E.
Serial No.:	09/731,255		
Filed:	December 6, 2000	Group Art Unit:	1647
Entitled:	Method of Transplanting in a Mammal and Treating Diabetes Mellitus by Administering a Pseudo-Islet like Aggregate Differentiated from a Nestin- Positive Pancreatic Stem Cell		
		Conf. No.:	9070

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Andrea MacVarish

Name of Person Mailing Paper



Signature of Person Mailing Paper

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Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

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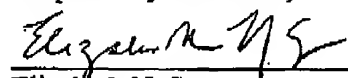
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June 9, 2004
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Respectfully submitted,



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PATENT

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Application of: Habener et al.
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Differentiated from a Nestin-
Positive Pancreatic Stem Cell

Examiner: Bunner, B.E.

Group Art Unit: 1647


Conf. No.: 9070

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Andrea MacVarish

Name of Person Mailing Paper


Signature of Person Mailing Paper

Mail Stop AF
Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER

Sir:

The General Hospital Corporation, as owner of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173 as shortened by any terminal disclaimer of Co-pending Applications 09/731,261 and 09/963,875. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent issuing from Co-pending Applications 09/731,261 and 09/963,875 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Attorney Docket No.: 3284/1220**Serial No.: 09/731,255****Page 2**

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and § 173 of any patents issuing from Co-pending Applications 09/731,261 and 09/963,875 as shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Please charge the \$55.00 fee for filing a terminal disclaimer to our Deposit Account No. 16-0085, Reference No. 3284/1220. The Commissioner is hereby authorized to apply any other charges or any credits to our Deposit Account No. 16-0085, Reference No. 3284/1220. The undersigned is an attorney or agent of record.

June 9, 2004

Date

Respectfully submitted,



Elizabeth N. Spar

Registration No. 45,123

Customer No.: 29933

PALMER & DODGE LLP

111 Huntington Avenue

Boston, MA 02199